

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Office Action dated July 8, 2008 (herein, the "Office Action"). In the Office Action, Claims 1 – 97 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent Number. 6,600,812 to Gentillin *et al.* (herein *Gentillin*) in view of U.S. Patent Number 6,771,742 to McCalmont, *et al.* (herein "*McCalmont*")

In response to the Office Action, Applicants hereby amend Claims 1, 5 – 8, 16, 17, 19, 33, 36, 45 and 52; cancels claims 12 – 15, 20 – 29, 47 – 51 and 53 – 97; and adds no claims. Therefore, **Claims 1 – 11, 16 – 19, 30 – 46 and 52 are currently pending.** As set forth more fully below, reconsideration and allowance of the pending claims are respectfully requested.

The present invention comprises a system and method for rotating media channels between resources of an emergency services network and conforming emergency systems (CES's). The object of which is to provide a plurality of media channels for communicating data from the plurality of resources through a transport network to a CES. A channel system in the CES and the plurality of resources establish and tear down media channels between the CES and one or more resources as needed in order to rotate the media channels. Thus, only the media channels that are needed at one time are utilized there are no hard-wired, direct connections between the CES and the plurality of resources.

All claims stand rejected as being obvious over *Gentillin* in view of *McCalmont*. Applicants respectfully submit that the remaining independent claims, claims 1 and 36, define over *Gentillin* and *McCalmont*, both individually and in combination, and are therefore allowable. The rest of the claims depend from either claim 1 or claim 36 and are therefore likewise allowable.

First of all, the Examiner cites *Gentillin* as disclosing Applicants' preamble, viz., "[a] communication network for rotating media channels." Office Action, page 2 numbered item

2. It is respectfully submitted that neither *Gentillin* nor *McCalmont* discloses rotating media channels. All channels in both references between the CES (e.g., the PSAP in both references) and the resources (400, 310, 200a and 200 of FIG. 4 in *Gentillin* and 248 and 256 of FIG. 2 in *McCalmont*) are nowhere described as being set up as needed by a channel system nor torn down when not needed and thus “rotated” in usage. *McCalmont*’s media channels are illustrated as being hard-wired and therefore limited, which is exactly what this invention solves. Further, it is respectfully submitted that *Gentillin* nowhere describes his media channels as being set up and torn down, and are therefore not “rotatable,” as used in Applicants’ independent claims.

Secondly, neither *Gentillin* nor *McCalmont* disclose or suggest a CES or a resource with a channel system as recited in claims 1 and 36. *Gentillin* does not disclose or describe how the data channels are set up. *Gentillin* does not disclose or describe whether or not the data channels are torn down. To one skilled in the art, the implication of the silence is that the data channels are permanent, regardless of the medium in which the data is transmitted. Therefore, *Gentillin* has no need of a channel system in either his CES (PASP) or resources that actually sets up and tears down the media channels. *McCalmont* is even further away from Applicants’ invention than *Gentillin*, because *McCalmont* only teaches or suggests that the CES (PSAP) and resources (ALI database and PS database) are dedicated links.

Finally, Applicants’ respectfully submit that the Examiner’s reliance on *McCalmont* to add the final element of applicants’ claims 1 and 36 is misplaced. The Examiner cites column 11 and FIG 2, element 240 for this proposition. It is respectfully suggested that the Examiner must mean element 204, the PSTN, not element 240, the Selective Routing Data Base. Applicants claim a transport network with virtual channels in the independent claims. As is known in the art, the channels in the PSTN are not virtual but are dedicated for the life of a call. Further, a call from a cell phone is not transported via a transport network as described and claimed in Applicants’ invention. A call to 9-1-1 from a cell phone may be a “triggering event,” as the Examiner states, but it does not result in a second channel being set up. The channel between the cell phone and the PSAP is set up before any channel between a resource and the PSAP is needed.

Therefore, Applicants' independent claims 1 and 36 distinguish over *Gentillin* in view of *McCalmont* and are thus patentable.

The remaining claims depend from patentable independent claims and are therefore patentable.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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